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8 UNITED STATES DISTRICT COURT  
 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 10 SAN FRANCISCO DIVISION

11 TYCO HEALTHCARE GROUP LP d/b/a  
 12 VNUS MEDICAL TECHNOLOGIES,  
 13 Plaintiff,  
 14 v.  
 15 BIOLITEC, INC., DORNIER MEDTECH  
 AMERICA, INC., and NEW STAR LASERS,  
 16 INC. d/b/a COOLTOUCH, INC.,  
 17 Defendants.

LEAD CASE NO. C08-03129 MMC  
 CASE NO. C08-03129 MMC

~~PROPOSED~~ ORDER GRANTING  
 PLAINTIFF'S MOTION FOR LEAVE  
 TO FILE THE DECLARATIONS OF DR.  
 ROBERT T. ANDREWS, DR. WARREN  
 S. GRUNDFEST, AND TERRY A.  
 FULLER IN FURTHER SUPPORT OF  
 ITS OPPOSITIONS TO DEFENDANTS'  
 MOTIONS FOR SUMMARY  
 JUDGMENT; DIRECTIONS TO PLAINTIFF

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 20 TYCO HEALTHCARE GROUP LP d/b/a  
 21 VNUS MEDICAL TECHNOLOGIES,  
 22 Plaintiff,  
 23 v.  
 24 TOTAL VEIN SOLUTIONS, LLC d/b/a  
 25 TOTAL VEIN SYSTEMS,  
 26 Defendant.

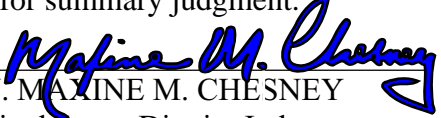
CASE NO. C08-04234 MMC  
 (consolidated with C08-03129 MMC)

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Before the Court is Plaintiff's Motion for Leave to File the Declarations of Dr. Robert T. Andrews, Dr. Warren S. Grundfest, and Dr. Terry A. Fuller in Further Support of its Oppositions to and defendants' opposition thereto. Defendants' Motions for Summary Judgment, Having considered the arguments and papers submitted by the parties, the Plaintiff's Motion is GRANTED, and plaintiff is DIRECTED to file said declarations no later than July 30, 2010.

To the extent defendants' opposition challenges the admissibility and relevance of said declarations, the Court will consider such challenges in connection with its ruling on defendants' motions for summary judgment.

IT IS SO ORDERED.  
Dated: July 26, 2010

  
HON. MAXINE M. CHESNEY  
United States District Judge